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5 Attorneys for Defendant  
6 CBS STUDIOS INC.

7 UNITED STATES DISTRICT COURT  
8  
9 CENTRAL DISTRICT OF CALIFORNIA  
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11 DELRAY RICHARDSON p/k/a DELRAY  
d/b/a DEL FUNK BOY MUSIC, an individual,  
12 and STERLING A. SYNDER d/b/a/ ZION  
RECORDS, an individual,

13 Plaintiffs,

14 vs.

15 CBS STUDIOS, INC., d/b/a CBS TELEVISION  
DISTRIBUTION, a division of CBS CORPORATION,  
16 a Delaware corporation,

17 Defendants.  
18 \_\_\_\_\_/

Case No. CV12-7925 ABC (SHx)  
Honorable Audrey B. Collins

ANSWER TO COUNTS I - III  
OF THE COMPLAINT AND  
DEMAND FOR JURY TRIAL

19 Defendant CBS STUDIOS INC. ("CBS") hereby answers Counts I through III of  
20 the Complaint, which are the Counts remaining after the Court dismissed Counts IV  
21 through VIII upon Defendant's motion.

22 NATURE OF ACTION

23 1. Answering Paragraph 1, CBS admits that this is a civil action for copyright  
24 infringement, but denies that there are any "other related causes of action" in the  
25 Complaint since the Court granted Defendant's Motion to Dismiss Counts IV through  
26

VIII of the Complaint.

## THE PARTIES

2. Answering Paragraphs 2 and 3, CBS denies the allegations on the basis of lack of information or belief.

3. CBS admits the allegations contained in Paragraph 4.

## JURISDICTION AND VENUE

4. Answering Paragraph 5, CBS admits that federal jurisdiction exists as to the copyright claims. CBS denies that any state law claims are stated such that supplemental jurisdiction is required or exists.

5. Answering Paragraphs 6 and 7, CBS admits that venue in this district is proper and that this Court has personal jurisdiction over Defendant. CBS denies all other allegations of such paragraphs.

6. Answering Paragraph 8, CBS denies, generally and specifically, each and every allegation contained therein.

## FACTUAL BACKGROUND

7. Answering Paragraphs 9 and 10, CBS denies the allegations therein on the basis of lack of information or belief.

8. Answering Paragraph 11, CBS admits that its programs are broadcast on network television.

9. Answering Paragraphs 12 through 18, CBS denies, generally and specifically, each and every allegation contained therein.

10. Answering Paragraph 19, CBS denies the allegations on the basis of lack of information or belief.

11. Answering Paragraphs 20 through 32, CBS denies, generally and specifically, each and every allegation contained therein.

COUNT I

12. Answering Paragraph 33, CBS repeats and incorporates herein by reference, the admissions and denials made in response to Paragraphs 1 through 32.

13. Answering Paragraph 34 through 45, CBS denies, generally and specifically, each and every allegation contained therein.

COUNT II

14. Answering Paragraph 46, CBS repeats and incorporates herein by reference, the admissions and denials made in response to Paragraphs 1 through 32.

15. Answering Paragraphs 47 through 54, CBS denies, generally and specifically, each and every allegation contained therein.

COUNT III

16. Answering Paragraph 55, CBS repeats and incorporates herein by reference, the admissions and denials made in response to Paragraphs 1 through 32.

17. Answering Paragraphs 56 through 63, CBS denies, generally and specifically, each and every allegation contained therein.

FIRST AFFIRMATIVE DEFENSE

1. For a separate and affirmative defense to each cause of action, CBS alleges that none of the causes of action allege sufficient facts to state a claim for which relief can be granted because Plaintiff Delray Richardson is not the sole copyright holder (if he has any interest whatsoever) in the "Musical Compositions and Sound Recordings" and Plaintiff Sterling A. Snyder has no standing to assert a claim for copyright infringement.

SECOND AFFIRMATIVE DEFENSE

2. For a separate and affirmative defense to each cause of action, CBS alleges that the entire claim is barred by 17 U.S.C., §507(b).

THIRD AFFIRMATIVE DEFENSE

3. For a separate and affirmative defense to each cause of action, CBS alleges that it obtained and paid for valid licenses to use the allegedly infringing material.

WHEREFORE, Defendant prays for relief as follows:

1. That Plaintiff take nothing by his action;
2. For costs incurred herein, including reasonable attorneys' fees as provided under 17 U.S.C. §505; and
3. For such other relief as the Court may deem just and proper.

Dated: December 13, 2012

LAW OFFICES OF ROBERT S. BESSER

By: /s/ Robert S. Besser  
ROBERT S. BESSER  
Attorneys for Defendant CBS STUDIOS INC.

1 DEMAND FOR JURY TRIAL

2 Defendant CBS Studios Inc. hereby demands a jury trial in the above matter.

3 Dated: December 13, 2012

4 LAW OFFICES OF ROBERT S. BESSER

5  
6 By: /s/ Robert S. Besser \_\_\_\_\_  
7 ROBERT S. BESSER  
8 Attorneys for Defendant CBS STUDIOS INC.  
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CERTIFICATE OF SERVICE

STATE OF CALIFORNIA:

COUNTY OF LOS ANGELES:

I am employed by a member of the Bar of the State of California in Los Angeles County, State of California. I am over the age of 18 and not a party to the within action. My business address is 1221 Second Street, Suite 300, Santa Monica, California 90401.

On this date, I served the foregoing document described ANSWER TO COUNTS I THROUGH III OF THE COMPLAINT AND DEMAND FOR JURY TRIAL on all interested parties in this action by:

☒ BY MAIL: placing a true and correct copy thereof enclosed in a sealed envelope with postage fully pre-paid and addressed as follows:

Delray Richardson, In Pro Per  
Sterling A. Snyder, In Pro Per  
2191 East 21<sup>st</sup> Street Box K  
Signal Hill, CA 90755  
(323) 440 0855

I am "readily familiar" with the firm's collection and processing of correspondence for mailing. Under that practice it is deposited with the U.S. Postal Service on the same day, with postage fully prepaid, at Santa Monica, California. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after the date of deposit stated in this affidavit.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed on December 13, 2012, at Santa Monica, California.

/s/ Robin Sanders  
Robin Sanders